IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

Crl.Rev.Pet.No. 4126 of 2007()

CC.134/99 OF JFCM-II, KANNUR
CRA.504/01 OF ADDL.SESSIONS JUDGE, THALASSERY

REVN. PETITIONER: PETITIONER/REVISION PETITIONER:

C.P.S. MOORTHY, S/O. PARTHASARATHY,
AGED 66 YEARS, NEAR ASHIRWAD HOSPITAL,
KANNUR AMSOM, DESOM, KANNUR DISTRICT.

BY ADV. SRI.SUDHEESH THAROL

RESPONDENTS: RESPONDENTS:

---

1. DR. TOJO MATHAI, S/O. MATHAI,
KANATHA CLINIC, PALLIKKUNNU, KANNUR DISTRICT.

2. THE STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR SRI.C.M.NAZAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 19/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Crl. R.P. No. 4126 OF 2007

Dated this the 19th day of November, 2007

O R D E R

The revision petitioner, who was the accused in C.C.No.134/99 on the file of the JFCM-II, Kannur for an offence punishable under section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the trial court for the said offence.

2. Pending this revision, the parties have settled the matter and have filed Crl.M.A.No.12150/2007 under section 147 of the Act for recording the composition entered into by them. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. The composition is recorded and it will have the effect of an acquittal within the meaning of section 320(8) Cr.P.C. Money, if any, paid by the revision petitioner pursuant to orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner.

This revision petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

aks